

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Dinah W.Y. Sah et al.

Art Unit : 1647

Serial No. : 10/661,984

Examiner : Robert S. Landsman

Filed : September 12, 2003

Title : NOVEL NEUROTROPHIC FACTORS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SECOND REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

This second request for a corrected official Filing Receipt is subsequent to the Office Communication dated June 9, 2005 (copy enclosed).

Please correct the Filing Receipt for the above-referenced application to include the priority as claimed on the Combined Declaration and Power of Attorney, filed on March 18, 2004 [copy attached], claiming priority to **Application Serial No. 09/804,615, filed on March 12, 2001**. In addition to the Combined Declaration and Power of Attorney, this priority claim was also presented on the first page of the application as originally filed.

Also, please correct the Attorney Docket No to **13751-056001**.

Please supply a corrected Filing Receipt to the undersigned with respect to this application. A copy of the original Filing Receipt showing the desired changes in red ink is attached for your convenience.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

June 20, 2005

Date of Deposit

Signature

A handwritten signature in cursive script that reads "Carol Tyrrell".

Carol Tyrrell

Typed or Printed Name of Person Signing Certificate

Applicant : Dinah W.Y. Sah et al.  
Serial No. : 10/661,984  
Filed : September 12, 2003  
Page : 2 of 2

Attorney's Docket No.: 13751-056001 / Biogen  
IdecC045 US CIP2/NsGene119-404-US

No fee is believed to be due. If, however, there are any charges or credits, please apply them to Deposit Account No. 06-1050, referencing Attorney Docket No. 13751-056001.

Respectfully submitted,

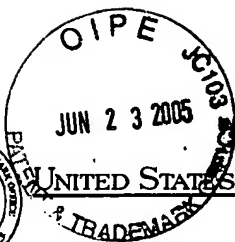
Date: \_\_\_\_\_

*June 20, 2005*

*Jack Brennan*

\_\_\_\_\_  
Jack Brennan  
Reg. No. 47,443

Fish & Richardson P.C.  
Citigroup Center  
52nd Floor  
153 East 53rd Street  
New York, New York 10022-4611  
Telephone: (212) 765-5070  
Facsimile: (212) 258-2291



UNITED STATES PATENT AND TRADEMARK OFFICE

13751-056001

Page 1 of 2

JKF  
JQB

UNITED STATES DEPARTMENT OF COMMERCE  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/661,984	09/12/2003	1647	1160	C045-US CIP2	19	10	1

26168  
FISH & RICHARDSON  
225 FRANKLIN STREET  
BOSTON, MA 02110

Docketed By Practice Systems  
Action Code: COR OF FLG RPT  
Base Date: 6/9/05  
Due Date: 7/9/05  
Deadline: 7/9/05  
Initial: JDJ

13751-056001

CONFIRMATION NO. 9412

CORRECTED FILING RECEIPT



\*OC000000016240198\*

Date Mailed: 06/09/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Dinah W. Y. Sah, Boston, MA;  
Teit E. Johansen, Horsholm, DENMARK;  
Anthony Rossomando, South Grafton, MA;

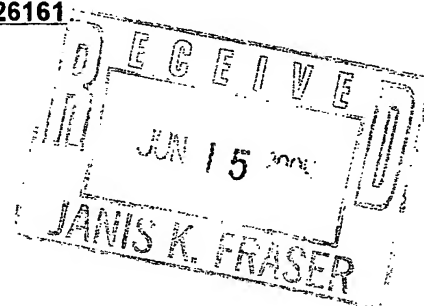
Docketed By Billing Secretary  
Due Date: 7/9/05  
Deadline: 7/9/05  
Initials: JKF

Power of Attorney: The patent practitioners associated with Customer Number **26161**

Domestic Priority data as claimed by applicant

This application is a CON of PCT/EP02/02691 03/12/2002  
which CLAIMS PRIORITY FROM U.S. SER. NO.

Foreign Applications 09/804,615 Filed MARCH 12, 2001



If Required, Foreign Filing License Granted: 01/02/2004

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/661,984**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

RECEIVED

JUN 13 2005

FISH & RICHARDSON, P.C.  
BOSTON OFFICE

**Title**

Novel neurotrophic factors

**Preliminary Class**

435

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

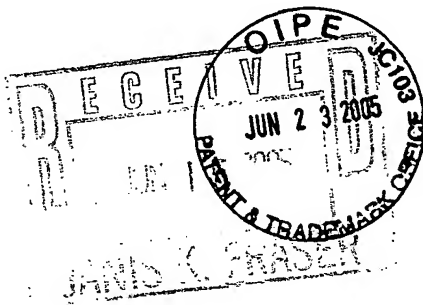


## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/661,984	09/12/2003	Dinah W. Y. Sah	C045 US CIP2

26168  
 FISH & RICHARDSON  
 225 FRANKLIN STREET  
 BOSTON, MA 02110



CONFIRMATION NO. 9412



\*OC000000016240221\*

Date Mailed: 06/09/2005

## RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

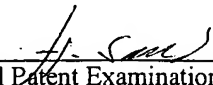
## Domestic Continuity and Foreign Priority

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The priority or continuity claim has not been entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.
- ☒ Continuity claimed under 35 U.S.C. § 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification.
- ☐ A claim for priority cannot be made based on an application filed after the application making the claim.
- ☐ Domestic benefit and foreign priority claims will not be captured in a provisional application. A provisional application is not entitled to a right of priority or to the benefit of an earlier filing date of any other application. See 35 U.S.C. § 111(b)(7) and 37 CFR 1.53(c)(4).
- ☐ A domestic continuity claim cannot be made to a foreign application and the filing receipt will only list the foreign country, application number, and filing date.
- ☐ Foreign priority will appear on the Filing Receipt in the following order: **Country, Application number, Filing date.**
- ☐ This application is the result of a conversion from a provisional application. Priority based on such application cannot be made since it no longer exists as a provisional application.
- ☐ The application(s) to which priority is claimed were filed over a year prior to the filing date of this

application. Therefore, the referenced application(s) cannot be claimed as domestic or foreign priority.

- ☐ To change the benefit claim of a U.S. prior-filed application, applicant must amend the first sentence of the specification (if the benefit claim is referenced in the specification), or provide a supplemental application data sheet (ADS) (if the benefit claim was submitted in an ADS), with the desired benefit claim. Note that once a benefit claim is deleted, applicant will not be able to claim such prior-filed application again, if the above-identified application was filed on or after November 29, 2000.
- ☐ To change a foreign priority claim, applicant must submit a supplemental oath or declaration (if the priority claim is referenced in the oath or declaration), or a supplemental application data sheet (ADS) (if the priority claim was submitted in an ADS), with the desired priority claim. If a supplemental ADS is submitted, any deletions should be shown with strikeouts. Note that once a priority claim is deleted, applicant will not be able to claim such foreign application again, if the above-identified application was filed on or after November 29, 2000.

  
Office of Initial Patent Examination (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

**Date of Deposit:**

# COPY



As a below named inventor, I hereby declare that:

I believe I am an original, first and joint inventor which is claimed and for which a utility patent is sought on the invention entitled:

the specification of which was filed on September 12, 2003, as United States non-provisional application U.S.S.N. 10/661,984, based on International Application No. PCT/EP02/02691, with an International Filing Date of March 12, 2002, and bearing Attorney Docket No. C045 US CIP2.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

**I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.**

- ☐ I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application designating at least one country other than the United States listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

[illegible]

- ☒ I hereby claim the benefit under Title 35, United States Code, § 119(e) or § 120 of any United States application(s), or § 365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

<b>Application No.</b> <i>(U.S.S.N.)</i>	<b>Filing Date</b> <i>(dd/mm/yy)</i>	<b>Status</b> <i>(Patented, Pending, Abandoned, Expired)</i>
09/804,615	12/03/01	Pending

PCT International Applications designating the United States:

<b>PCT International Application No.</b>	<b>Filing Date</b>	<b>Status</b>
PCT/EP02/02691	12 March 2002	Published

I hereby appoint the following attorneys and/or agents:

Raymond G. Arner, Reg. No. 32,958  
 Gary L. Creason, Reg. No. 34,310  
 John T. Li, Reg. No. 44,210  
 Timothy P. Linkkila, Reg. No. 40,702  
 Niki D. Cox, Reg. No. 42,446

to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Please address all telephone calls to **Gary L. Creason** at telephone number 617/679-2308.

Please address all correspondence to:

Patent Administrator  
 Biogen Idec Inc.  
 14 Cambridge Center  
 Cambridge, MA 02142



**COPY**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or patent issued thereon.

\_\_\_\_\_  
Inventor's Signature

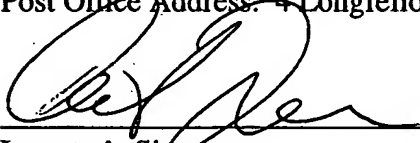
\_\_\_\_\_  
Date

Full Name of Inventor: Dinah W. Y. Sah

Citizenship: United States

Residence: Boston, Massachusetts

Post Office Address: 4 Longfellow Place, Apt. 2608, Boston, MA 02114



5/2 - 2004

\_\_\_\_\_  
Inventor's Signature

\_\_\_\_\_  
Date

Full Name of Inventor: Teit E. Johansen

Citizenship: Denmark

Residence: Horsholm, Denmark

Post Office Address: Stampeengen 26, DK-2970 Horsholm, Denmark

\_\_\_\_\_  
Inventor's Signature

\_\_\_\_\_  
Date

Full Name of Inventor: Anthony Rossomando

Citizenship: United States

Residence: Revere, Massachusetts

Post Office Address: 50 Asti Avenue, Revere, MA 02151

**Date of Deposit:**

**COPY**



As a below named inventor, I hereby declare that:

I believe I am an original, first and joint inventor which is claimed and for which a utility patent is sought on the invention entitled:

the specification of which was filed on September 12, 2003, as United States non-provisional application U.S.S.N. 10/661,984, based on International Application No. PCT/EP02/02691, with an International Filing Date of March 12, 2002, and bearing Attorney Docket No. C045 US CIP2.

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[illegible]

- ☒ I hereby claim the benefit under Title 35, United States Code, § 119(e) or §120 of any United States application(s), or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

<b>Application No.</b> <i>(U.S.S.N.)</i>	<b>Filing Date</b> <i>(dd/mm/yy)</i>	<b>Status</b> <i>(Patented, Pending, Abandoned, Expired)</i>
09/804,615	12/03/01	Pending

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# COPY

Amah W. Y. Lau

Feb. 17, 2004

**Inventor's Signature**

Date \_\_\_\_\_

**Full Name of Inventor:** Dinah W. Y. Sah

**Citizenship:** United States

**Residence:** Boston, Massachusetts

**Post Office Address: 4 Longfellow Place, Apt. 2608, Boston, MA 02114**

**Inventor's Signature**

Date \_\_\_\_\_

Full Name of Inventor: Teit E. Johansen

**Citizenship:** Denmark

**Residence:** Horsholm, Denmark

**Post Office Address: Stampeengen 26, DK-2970 Horsholm, Denmark**

Office Address: Stain

2/20/2004

**Inventor's Signature**

Date \_\_\_\_\_

**Full Name of Inventor: Anthony Rossomando**

**Citizenship:** United States

~~Residence: Revere, Massachusetts~~

~~Post Office Address: 50 Asti Avenue, Revere, MA 02151~~

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14706